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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

FILED

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UNITED STATES OF AMERICA,

Plaintiff,

v.

Michael Kern WENTZ

Defendant.

Magistrate Case No. 08 MJ 2739

COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section  
1324(a)(2)(B)(iii)- Bringing in Illegal Aliens  
Without Presentation

Title 8, U.S.C., Section  
1544-Misuse of Passport


The undersigned complainant being duly sworn states:

Count I

On or about **September 3, 2008**, within the Southern District of California, defendant **Michael Kern WENTZ**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, namely, **Maria Isabel ARANDA-Ocampo, Ricardo REYES-Rangel, and Jaime MENDEZ-Nunez**, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said aliens, and upon arrival did not bring and present said aliens immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

Count II

On or about **September 3, 2008**, within the Southern District of California, defendant **Michael Kern WENTZ**, did knowingly and willfully use a passport issued or designed for the use of another, with the intent to gain admission into the United States in the following manner, to wit: Defendant applied for entry to the United States by presenting U.S. Passport number **103612026**, issued to **Jeff Thomas Mohr**, to a Department of Homeland Security, Customs and Border Protection Officer, knowing full well that he was not **Jeff Thomas Mohr**, that the passport was not issued or designed for his use. All in violation of Title 18, United States Code, Section 1544.

  
Alfredo Loperena, Enforcement Officer  
U.S. Customs and Border Protection

Sworn to before me and subscribed in my presence, this 5<sup>th</sup> day of **September, 2008**.

  
UNITED STATES MAGISTRATE JUDGE

00A  
9/4/08  
EC

**PROBABLE CAUSE STATEMENT**

The complainant states that **Maria Isabel ARANDA-Ocampo, Ricardo REYES-Rangel, and Jaime MENDEZ-Nunez** are citizens of a country other than the United States; that said aliens have admitted they are deportable; that their testimony is material; that it is impracticable to secure their attendance at trial by subpoena; and that they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On September 3, 2008, at approximately 2305 hours, **Michael Kern WENTZ (Defendant)** made application for admission into the United States from Mexico at the San Ysidro, California Port of Entry via the vehicle primary lanes. Defendant was the driver and sole visible occupant of a white Chevrolet Cargo Van. Upon inspection before a U.S. Customs and Border Protection (CBP) Officer, Defendant made two negative customs declarations and presented an altered United States Passport. The CBP officer conducted an inspection of the vehicle and discovered individuals concealed under a dark cloth within the rear cargo area. The vehicle and its occupants were escorted to secondary for further inspection.

In secondary, CBP Officers removed fifteen individuals from the rear cargo area. Three of the fifteen individuals are now identified as **Maria Isabel ARANDA-Ocampo (MW1), Ricardo REYES-Rangel (MW2), and Jaime MENDEZ-Nunez (MW3)**. Material Witnesses were determined to be undocumented aliens and citizens of Mexico.

On separate videotaped interviews, Material Witnesses admitted they are citizens of Mexico without legal rights or entitlements to enter the United States. Material Witnesses stated they were going to pay between \$3,000 and \$4,000 U.S. dollars to be smuggled into the United States. Material Witnesses stated they were going to California to seek employment.